



MPA Maine Press Association

March 12, 2012

VIA E-MAIL & HAND DELIVERY

Mr. Jonathan Wayne
Executive Director
State of Maine
Commission on Governmental Ethics and Election Practices
135 State House Station
Augusta, ME 04333

**Re: Maine Press Association Comments on Proposed Rule Amendments to
Chapters 1 and 3 of the Commission's Rules**

Dear Jonathan:

The Maine Press Association provides these comments on the proposed rule amendments to Chapters 1 and 3 of the Rules of the Commission on Governmental Ethics and Election Practices ("Ethics Commission"). The MPA, representing the state's newspaper industry, consists of more than 40 weekly and daily papers across the state.

In Maine campaign finance law, "news media which periodically publish news stories, editorials, or commentaries are exempt from campaign finance reporting requirements." Specifically, sub-section 10 of Section 7 of Chapter 1 proposes a rule interpreting this "press exception" to the definition of "expenditure" in Ethics Commission rules, particularly with respect to Internet publishers.

The MPA supports this clarification of the statute. However, we also propose that some language regarding the creation of original content be inserted into the definition of "periodical publication." Gathering and disseminating news articles is not the same as creating your own, and the creation of content -- in whatever form -- is the core definition of the "press." The MPA suggests that language to the effect that original news content must be created by and attributed to the press organization in order to qualify for the "press exception" (i.e. no re-writing press releases). Specifically, the rule should have a minimum percentage of original content requirement—e.g. 25%.

Therefore, the MPA suggests the following new criterion in Chapter 1, Section 7, sub-section 10:

"the publication must be composed of at least 25% original content;"

Thank you for the opportunity to provide comments on these proposed Ethics Commission rule amendments.

Sincerely,

/s/

Michael J. Dowd,
Editor-in-Chief, Bangor Daily News
President, Maine Press Association